

Gary S. Deschenes (ID #2293)
DESCHENES & ASSOCIATES LAW OFFICES
309 First Avenue North
P.O. Box 3466
Great Falls MT 59403-3466
E-mail: gsd@dalawmt.com
Telephone (406) 761-6112
Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

LD CONSTRUCTION, INC.,

Debtor.

Case No. 4:23-bk-40063-BPH

MOTION TO CONTINUE STATUS CONFERENCE

COMES NOW, the Debtor, LD Construction, Inc., by and through its attorney of record, Gary S. Deschenes, and moves the Court pursuant to Mont. LBR 5071-1 for its Order continuing the status conference currently scheduled for October 24, 2024, at 1:30 p.m. In support of this Motion, Debtor informs the Court as follows:

1. Debtor's counsel has a previously scheduled hearing on October 24, 2024, at 1:30 p.m. in Philipsburg, Montana, that he is unable to reschedule. The hearing is in the matter of *Wheeler v. Ignimbrite Minerals, Inc.*, Cause No. DV-20-2024-20. See Order setting the hearing for October 24, 2024, attached hereto.

2. Debtor's counsel has contacted James A. Patten, counsel for Montana Tunnels Mining, Inc., and he consents to this Motion.

WHEREFORE, Debtor respectfully requests the Court continue the status conference currently scheduled for October 24, 2024, to the December 6, 2024, hearings in Great Falls.

DATED this 17th day of October, 2024.

DESCHENES & ASSOCIATES LAW OFFICES

BY: /s/ Gary S. Deschenes

Gary S. Deschenes
Attorney for Debtor

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify under penalty of perjury that on the 17th day of October, 2024, a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

None.

/s/ Lisa Peck

Lisa Peck

MONTANA THIRD JUDICIAL DISTRICT COURT, GRANITE COUNTY

CAROLYNE J. WHEELER,

Plaintiff,

vs.

IGNIMBRITE MINERALS, INC., and DOES
1-10,

Defendants.

Cause No. DV-20-2024-20

Hon. Ray J. Dayton

ORDER

This matter having come before the Court upon the Stipulation entered into between the parties to continue the hearing on Plaintiff's Application for Temporary Restraining Order and Preliminary Injunction and for the Temporary Restraining Order to remain in full force and effect until the hearing can be held. Upon review of the Stipulation, the Court enters the following Order:

IT IS HEREBY ORDERED that the Stipulation is approved, and the hearing scheduled for Thursday, August 29, 2024, at 11:00 a.m. is hereby vacated and continued to

34, 2024, at 1:30 o'clock p.m., at the Courthouse in Granite County, Montana; and

October
Philipsburg

The Temporary Restraining Order shall remain in full force and effect until the hearing on Plaintiff's Application.

ELECTRONICALLY SIGNED AND DATED BELOW

cc: Plaintiff c/o Gary Deschenes and Zach Duhon
Defendant c/o Mark S. Hilario

Electronically Signed By:
Hon. Judge Ray Dayton